

# **CHAPTER 1: KEY CHANGES REFLECTED IN THE REGULATIONS**

## **Chapter 1: Key Changes Reflected In The Regulations**

Required Representation On State And Local Boards

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Provision of Services By Local Board Staff

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## **CHAPTER 2: INTRODUCTION TO THE REGULATIONS**

## Chapter 2: Introduction To The Regulations

Part 660 – Introduction to the Regulations for Workforce Investment Systems Under Title I of the Workforce Investment Act

- 660.100      What is the purpose of title I of the Workforce Investment Act of 1998?
- 660.200      What do the regulations for workforce investment systems under title I of the Workforce Investment Act cover?
- 660.300      What definitions apply to the regulations for workforce investment systems under title I of WIA?

### ***W**here do we find definitions used in the Final Regulations?*

Most of the key definitions for WIA are in Section 101 of the Act, and are not repeated in the regulations. In addition to these statutory regulations, 28 additional definitions applicable to Parts 660-671 of the Final Rules are found at Section 660.300.

The Career OneStop Glossary and abbreviations at [www.careeronestop.org/usersupport/abbreviations.asp](http://www.careeronestop.org/usersupport/abbreviations.asp) are also useful tools for understanding the regulations and the broader workforce system, with some of the terms linking to related web sites.

# **CHAPTER 3: STATEWIDE AND LOCAL GOVERNANCE**

## Chapter 3: Statewide and Local Governance

Part 661 – Statewide and Local Governance of the Workforce Investment System under Title I of the Workforce Investment Act

### SUBPART A - GENERAL GOVERNANCE PROVISIONS

661.100 What is the role of the Workforce Investment System?

#### **W**hat does WIA mean by “universal access”?

The concept of universal access, one of seven basic principles embodied in the Act, is defined at the beginning of the Act. Basically, any individual will have access to the One-Stop system and to core employment-related services. Such core services include, but are not limited to: information about job vacancies, career options, student financial aid, relevant employment trends, and instruction on how to conduct a job search, prepare a resume, or interview with an employer. These core services are available to any job seeker in the U.S., or anyone who wants to advance his or her career.

661.110 What is the role of the Department of Labor as the Federal governmental partner in the governance of the workforce investment system?

661.120 What are the roles of the local and State governmental partners in the governance of the workforce investment system?

#### **I**s our local area required to have a policy manual?

Both local and state partners have the authority, and in many cases, responsibility to establish policies, interpretations, guidelines, and definitions relating to the operation of WIA, as long as the policy/guidance is consistent with the Act and Final Rules. (USDOL issued 13 different sets of regulations to govern the implementation of WIA. Twelve parts are codified in Title 20 of the Code of Federal Regulations (20 CFR). Non-discrimination regulations, implementing Section 188 of WIA, are in 29 CFR Part 37. In addition, the general administrative regulations in 29 CFR Part 667 incorporate by reference several other sets of regulations covering a variety of topics.)

Local workforce areas have the responsibility to know federal requirements and to establish all policies required by the Act and regulations, many of which must be published in the area's WIA plan. Local areas should develop additional policies as appropriate to guide local operations to ensure quality services for customers where gaps are identified or where specificity is needed. Local policies may be more stringent than federal or state policies, as long as they are consistent with the intent of the Act.

From the very beginning of WIA implementation in July 2000, the state of Georgia has worked to ensure local Workforce Investment Boards and chief local elected officials have maximum flexibility allowed by federal law and regulations in designing workforce development systems that meet the needs of their communities. Georgia has developed and imposed only minimal additional state policies to supplement federal guidance, primarily when required to do so by the law or regulations. The State has not substituted its judgment for that of local areas, unless the matter is primarily a state concern.

## **SUBPART B – STATE GOVERNANCE PROVISIONS**

661.200      What is the State Workforce Investment Board?

***H***ow can we find out the membership of Georgia's State Board?

The Georgia Workforce Investment Board was established by Executive Order on December 15, 1999. Governor Perdue reconstituted the State Workforce Investment Board under his Office and established the Governor's Office of Workforce Development (GOWFD) by Executive Order dated February 2, 2006.

For additional information about State Workforce Investment Board membership, visit the Governor's Office of Workforce Development at: [www.gowfd.org](http://www.gowfd.org).

661.203      What is meant by the terms "optimum policy making authority" and "expertise relating to [a] program, service or activity"?

***W***ho is entitled to a seat on the State or Local Board?

The preamble to the Final Rules makes it clear that no individual or group other than the Governor is entitled to a *seat* on a State or Local Board. However, specific groups, including One-Stop partner programs, are entitled to a *voice* on the boards through a representative.

These particular groups do not, however, have the right to choose who will sit on a board. Only the Governor and chief elected officials have the authority to make board appointments, as long as the individual appointed has optimum policy-making authority.

661.205      What is the role of the State Board?

***H***ow can we find out what the State Board is working on?

Information about the State Board's activities and initiatives is available at the Governor's Office of Workforce Development web site at: [www.gowfd.org](http://www.gowfd.org).

- 661.207 How does the State Board meet its requirement to conduct business in an open manner under the "sunshine provision" of WIA section 111(g)?
- 661.210 Under what circumstances may the Governor select an alternative entity in place of the State Workforce Investment Board?
- 662.220 What are requirements for the submission of the State Workforce Investment Plan?

### ***Where can I find Georgia's State Plan?***

Georgia's Unified State Workforce Investment Plan was approved by USDOL in December 2000, and has been updated periodically since then. Georgia's updated Unified WIA Plan for Program Years 2003 through 2005 was approved by USDOL in 2003, and Georgia's current plan covering Program Years 2005 through 2006 was approved by USDOL in 2005.

Georgia's Unified WIA Plan will be updated for program years 2007 through 2008 in spring of 2007 and will be available at: [www.dol.state.ga.us](http://www.dol.state.ga.us) (Workforce Professionals/Learn About WIA Services/WIA Plan Information). Local workforce area plans are also available at this site.

- 661.230 What are the requirements for modification of the State Workforce Investment Plan?

### ***Has Georgia submitted a state plan modification?***

Yes. As noted above, the state plan was modified in 2003 to submit negotiated statewide performance levels for PY 2003 and 2004, and again in 2005 to submit negotiated statewide performance levels for PY 2005 and 2006. The modifications also included a variety of programmatic updates. A modification for PY 2007 and 2008 will be completed in spring of 2007. It will be posted at: [www.dol.state.ga.us](http://www.dol.state.ga.us) (Workforce Professionals/Learn About WIA Services/WIA Plan Information).

- 661.240 How do the unified planning requirements apply to the five-year strategic WIA and Wagner-Peyser plan and to other Department of Labor plans?

### ***Is Georgia's state plan a unified plan?***

Yes. Georgia's state plan includes the services and activities of WIA, Wagner-Peyser, Unemployment Insurance (UI), and Vocational Rehabilitation as partners in Georgia's One-Stop system.



661.250      What are the requirements for designation of local workforce investment areas?

***What criteria were considered in the designation of local workforce areas?***

The Governor gave consideration to the following:

- The 12 State Service Delivery Regions in Georgia as established by state law in 1997 (HB 1650)
- Geographic areas served by local educational agencies and intermediate education agencies
- Geographic areas served by post-secondary education institutions and area technical schools
- The extent to which local areas were consistent with labor market areas
- The distance that individuals needed to travel to receive services
- The resources available to effectively administer the activities carried out under title I of the Workforce Investment Act

***What are Georgia's workforce investment areas?***

In July 2000, the Governor designated 20 local workforce investment areas within the 12 state Service Delivery Regions in Georgia. (See Appendix 1)

661.260      What are the requirements for automatic designation of workforce investment areas relating to units of local government with a population of 500,000 or more?

661.270      What are the requirements for temporary and subsequent designation of workforce investment areas relating to areas that had been designated as service delivery areas under JTPA?

***In Georgia, were any areas temporarily designated as workforce investment areas due to previous designation as service delivery areas under JTPA?***

Yes. Effective July 2000, nine areas in Georgia received automatic temporary designation as local WIA areas for two years. The Governor granted the temporary designation in response to a request from any unit of general local government (or combination of such units) with a population of 200,000 or more that was a service delivery area under JTPA; had performed successfully in the two years prior to the request; and had sustained fiscal integrity during this time. The nine areas were:

- Northwest Georgia
- Georgia Mountains
- City of Atlanta
- DeKalb County
- West Central Georgia
- Richmond/Burke
- Lower Chattahoochee
- Southwest Georgia
- South Georgia

### ***What was the subsequent designation process in Georgia?***

Designation for the nine areas temporarily designated as local WIA areas was extended in 2001 based on the following determination that each area:

- Had substantially met the local performance measures for the local area, and
- Had sustained the fiscal integrity of the funds used by the area to carry out workforce activities

The Local Board chairperson and chief local elected official(s) from all nine areas affirmed their desire to continue their designation by signing a brief declaration that their area met the above requirements. The State Board reviewed the requests and submitted them to the Governor, who subsequently extended designation for all nine areas.

661.280      What right does an entity have to appeal the Governor's decision rejecting a request for designation as a workforce investment area?

### ***What is the process for appealing designation decisions in Georgia?***

Any area of general local government or grant recipient that requested, but was not granted designation as a workforce investment area, could appeal the Governor's action to the state Workforce Investment Board. If the appeal did not result in designation as an area, an appeal could be made to the U.S. Secretary of Labor.

The appeal had to be made in writing to the chair of the Georgia Workforce Investment Board within 30 calendar days of the date of the initial denial letter. The board had 30 calendar days of the date of the appeal to issue a decision. If the State Board denied designation, the unit of government could appeal to the Secretary of Labor in writing within 15 calendar days from the date of the State Board's letter.

No areas were denied designation as a workforce investment area, so no appeals were filed.

661.290      Under what circumstances may States require Local Boards to take part in regional planning activities?

## ***Does Georgia mandate regional planning?***

WIA 116(c)(1) allows states to mandate regional planning, which Georgia has done to a certain degree. Regional planning is a required evolutionary process involving the 12 state Service Delivery Regions. Although the State requires planning, coordination, and sharing of information among workforce areas within state Service Delivery Regions, regional performance measures are not mandated. Regional planning does not substitute for, but rather guides and enhances service delivery by the 20 local service areas designated under WIA. Georgia will continue to encourage regional planning and collaboration where feasible to enhance regional economic growth.

## ***Is the State Workforce Board or an individual state agency able to prescribe how workforce programs are operated at the regional level?***

WIA does not alter the legislative mandates, authority and accountability of workforce “programs” funded by various federal agencies or grant organizations. WIA does, however, lay the foundation for regional input from a broad array of employers and organizations to put a locally designed workforce system in place.

Georgia encourages local areas to engage in regional planning. This was reinforced in 2001 by the provision of grants to local WIA boards for each state Service Delivery Region. Local Workforce Boards should view the boards authorized by the Georgia Department of Economic Development (GDEC), chambers of commerce, and other organizations involved in community development as partners and work closely with them to determine overall service strategies for local workforce systems being established within the region. Helpful web sites include the following:

- Georgia Department of Economic Development: [www.georgia.org/](http://www.georgia.org/)
- Georgia Chamber of Commerce: [www.gachamber.com/](http://www.gachamber.com/)
- Georgia Department of Community Affairs: [www.dca.state.ga.us/](http://www.dca.state.ga.us/)
- Georgia Department of Labor: [www.dol.state.ga.us/](http://www.dol.state.ga.us/)

## ***What is USDOL's approach to regional planning?***

While global competition is typically seen as a national challenge, USDOL/ETA emphasizes that solutions will come from regional economies as successful connections are made among three key elements: talent, infrastructure, and investment.

In November 2005, USDOL/ETA launched the Workforce Innovation Regional Economic Development (WIRED) Initiative. The WIRED framework brings together the key players in a region (e.g., state, local and federal entities, academic institutions [including K-12, community colleges and universities], investment groups, foundations, and business and industry) to leverage collective public and private sector assets and resources and connect the three key elements noted above. Local Workforce Investment Boards are key partners in WIRED initiatives.

## ***D***oes Georgia have any WIRED regions?

To date, there have been two generations of WIRED grant recipients. While a total of 32 regions were approved nationwide, Georgia's four applications were not among those approved. A third call for WIRED proposals was announced in February 2006 and two new applications were submitted. For additional information, visit: [www.doleta.gov/wired/](http://www.doleta.gov/wired/).

## **SUBPART C - LOCAL GOVERNANCE PROVISIONS**

661.300      What is the Local Workforce Investment Board?

### ***W***hat is required if a workforce investment area includes more than one unit of general local government?

If a workforce investment area includes more than one unit of general local government, the area must develop an agreement outlining the approach to carrying out WIA responsibilities including appointing the Local Workforce Board, establishing a youth council, selecting a grant recipient, and addressing liability for WIA funds. The following items should be addressed in the agreement:

- Designation of an individual to represent each county in the local area
- Authority of the chief elected officials (CEOs) to act on behalf of constituent governments
- Designation of an individual CEO (and the government represented) as the grant recipient; or, designation of an alternative entity as grant recipient
- Appointment of members of the Local Board
- Responsibilities assigned to CEOs by WIA
- Certification that WIA is included in the service delivery strategy plan(s) of the county(ies), and that the county(ies) are in compliance with Georgia's Service Delivery Strategy Act
- Provisions for how the area will repay any WIA funds that may be subsequently disallowed
- Identification of the entity that will perform administrative tasks for the area
- Other matters of importance to the local workforce area

### ***H***ow does the Local Board recertification process work in Georgia?

Once local workforce areas were satisfied that their board's membership would provide the best possible leadership for their area's success with WIA, the chief local elected official(s) was required to submit a listing of board and youth council members in preparation for the Governor's recertification of the Local Boards. All 20 Local Workforce Boards were recertified in 2002.

In Georgia, each of the 20 local WIA areas has had satisfactory performance each year, since the inception of WIA. Therefore, none of the existing boards have been required to change.

All local areas are encouraged to regularly examine their current membership to ensure that:

- A majority (51%) of members are representatives of business
- There are at least two members each from local education, economic development, organized labor, and community based organizations
- There are a maximum degree of cross-membership of the Local Board with other workforce and economic development boards in the community
- All required One-Stop system partners are represented

661.305      What is the role of the Local Workforce Investment Board?

### ***Can you elaborate on the role of local Workforce Investment Boards?***

The primary role of the Local Board is to ensure that workforce development services operating within the workforce investment area, effectively and efficiently support the employment and training needs of all job seekers, including discouraged workers, individuals who are unemployed, or underemployed, youth, persons with disabilities, and seniors. Local Workforce Investment Boards function as "boards of directors" focusing on strategic planning, policy development, and oversight of the local workforce development system.

The Local Board oversees a system of services in a local area, including the connection of workforce, education, and economic development. The success in establishing a local workforce system will depend upon the degree to which meaningful partnerships are established among all area economic, education, and workforce development programs and agencies.

### ***What are the responsibilities of local Workforce Investment Boards?***

Responsibilities of Local Workforce Boards include, but are not limited to the following:

- Develop and submit a local plan in partnership with the local chief elected official(s)
- Participate in the development of a regional plan if the local area lies within a region
- Designate or certify One-Stop operators with the agreement of the local chief elected official(s) (Terminate the eligibility of such operators where necessary)
- Identify eligible youth providers through a competitive process
- Identify eligible training providers and, where needed, identify providers of intensive services using a competitive process

- Develop a budget to carry out required duties, subject to the approval of the chief local elected official(s)
- Conduct program oversight of youth and adult local employment and training activities and the One-Stop delivery system in the local area
- Negotiate with the local chief elected official(s) and the Governor on program performance measures
- Assist the Governor in developing the statewide employment statistics system.
- Ensure coordination of the workforce investment activities with the area's economic development strategies and develop employer connections to such activities
- Promote the participation of private employers in the statewide workforce development system and assist these employers in meeting hiring needs through the local workforce system
- Establish, in cooperation with the local chief elected official(s), a subcommittee that shall be known as a youth council. The youth council shall include board members with special interest or expertise in youth policy. In addition, it shall include representatives of:
  - Youth service agencies
  - Local public housing authorities
  - Job Corps
  - Parents of eligible youth customers
  - Individuals with experience relating to youth activities (e.g., former customers, representatives of organizations, or others the Local Board chair and elected official(s) determine to be appropriate)
- May enter into an agreement with the local chief elected official(s) that describes respective roles and responsibilities of the board and CEOs
- Coordinate with other workforce and economic development activities carried out in the region. Examples include the efforts of the Georgia Departments of Economic Development and Community Affairs; universities, colleges and technical colleges; empowerment zones; and similar efforts.
- Build on existing local youth service organizations in creating the youth council and may select a member of the Local Workforce Board to chair the council

### ***How many members should be present to be considered a quorum to vote on local Workforce Investment Board business?***

Determining what constitutes a quorum is a Local Board decision. There are many definitions of quorum, for example: a requirement that a specific percentage of the board's membership is present at a meeting; at least 50% of the Executive Committee is present at a meeting; a provision for proxy voting; a provision for conference calling, to name just a few. The quorum definition adopted by a Local Board must be consistent and documented in Local Board by-laws and/or standard operating procedures.

## ***What Local Board actions and decisions need to be documented?***

Local Boards and staff should ensure that all deliberations and important decisions made regarding the workforce system are fully documented through board or committee meeting minutes or separate documents as appropriate. Such information may be retained locally unless called for in the WIA plans. However, these items should be available for review by federal or state staff if requested. Actions that must be documented include, but are not limited to the following:

- Board selection of the area's One-Stop operator(s)
- CEO agreement with the One-Stop operator selection
- CEO agreement with the area's Memorandum(s) of Understanding (MOU)
- Advance public notice of board meetings
- A written policy that safeguards against Local Board member conflict of interest
- Procurement results and funding decisions
- Development and approval of area budget
- Notice of the availability of the local WIA plan for public review and comment  
(Note: This applies to new plans and major updates, not minor revisions to an existing plan.)

## ***What is the State's conflict of interest policy?***

A member of the state or a Local Workforce Board may not vote on a matter under consideration by the board regarding the provision of services by the member or by an entity represented by that member, or that would provide direct financial benefit to the member or someone in the immediate family of the member. Georgia has defined immediate family as: husband, wife, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.

Local areas should have their own conflict of interest policies that may be more restrictive than the State's policy, but, at minimum, must conform to the State's policy.

- 661.306      How does the Local Board meet its requirement to conduct business in an open manner under the "sunshine provision" of WIA section 117(e)?
- 661.307      How does the Local Board meet its requirement to conduct business in an open manner under the "sunshine provision" of WIA section 117(e)?

## **What are State and Federal Open Meeting requirements?**

“Sunshine” or open meeting requirements are found in Sections 661.307 of the WIA Final Rules and Georgia Open Meetings Act, OCGA 50-14-(e)(1). Local Boards are required to conduct business in an open manner by ensuring meetings are posted and open to the public in accordance with the following:

- Announcing meetings to the general public in a conspicuous place, including the date, time and place of the meeting.
- Posting an agenda of all matters expected to come before the Local Board sometime during the two weeks prior to the meeting.
- Making a written summary of subjects acted on and members present available for public inspection within two business days of the meeting.
- Making the minutes of the meeting available for public inspection by no later than the next regular Local Board meeting.
- Having the minutes reflect that Local Board members with a conflict of interest in a specific matter or issue excused themselves from the discussion and/or abstained from voting on the matter.
- If the meeting was closed, the Local Board must ensure the reason for the closure was in accordance with State law (i.e. discussing or deliberating on personnel matters).
- If the meeting was closed, the official minutes must state the specific reason for the closure, reflect the vote to close the meeting, the members present, members voting for closure, and an affidavit from the chair or presiding member stating under oath the subject matter of the closed portion of the meeting.

661.310 Under what limited conditions may a Local Board directly be a provider of core services, intensive services, or training services, or act as a One-Stop operator?

661.315 Who are the required members of the Local Workforce Investment Boards?

## **What are the criteria for Local Board membership and suggestions for the member categories?**

When establishing a Local Board, local areas must select members representing business, education, labor organizations, community based organizations, economic development, and One-Stop partners. In order to identify Local Board members, areas will want to solicit a wide range of businesses and other organizations. Active members from affiliated boards, such as Georgia Department of Labor (GDOL) Employer Committees, technical college advisory boards, Regional Advisory Boards, and Family Connection collaborative boards can bring extensive knowledge, experience, and strong skills to the Local Board and should be considered for local workforce investment board membership. Criteria for membership and suggestions for each member category are listed below:



Business- A majority of the members of the Local Workforce Board must be representatives of business in the local area who are:

- Owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimal policy-making or hiring authority.
- Representatives of businesses with employment opportunities that reflect the employment opportunities of the local area.
- Nominated by local business organizations and business trade associations.

Business representatives should include representatives of small businesses and minority businesses to the extent possible. Chamber(s) of Commerce and other business organizations should be used to solicit nominations.

Education- Two or more members must represent local educational agencies, including school boards, providers of adult education and literacy activities, and post-secondary institutions (technical colleges, two- and four-year colleges and universities). Representatives should be selected from among individuals nominated by regional or local educational agencies, institutions, or related organizations.

Labor Organizations- In areas where employees are represented by labor organizations, two or more members of the board must be selected from nominations made by labor federations. In a local area in which no employees are represented by labor organizations, two or more members of the board must be selected from nominations made by other representatives of employees.

Community Based Organizations (CBO)- Two or more representatives must be chosen from CBOs, including faith-based organizations and organizations representing individuals with disabilities and veterans, if these organizations are present in the area. Nominations from other community based organizations should also be considered.

Economic Development- Two representatives must be chosen to represent economic development, including private sector economic development entities. Examples of organizations that promote economic development include the Regional Advisory Councils (RACs), chambers of commerce, local government consortiums, industrial authorities, colleges and universities, the Departments of Economic Development and Community Affairs, and other similar organizations.

One-Stop Partners- Each of the One-Stop partner programs must be represented on the board, although one member may represent more than one program. (See next question.)

Beyond the mandatory partners, additional One-Stop partners may include:

- Temporary Assistance to Needy Families (TANF) programs authorized under the Social Security Act
- Employment and Training and work programs of the Food Stamp Act of 1977
- Corrections, and youth juvenile justice organizations
- Other representatives of workforce programs and entities the chief elected official(s) may choose

***Please help us understand the requirement that at least one member of the board must represent entities administering each of the 12 mandated One-Stop services. What are the services and the entities at the state level in Georgia that represent the 12 required services?***

WIA Section 121(b)(1) and Sections 661.315 and 662.200 of the Final Rules identify the entities that are required partners in local One-Stop systems. State-level administering agencies in Georgia are as follows:

- WIA title I adult, youth, and dislocated workers (Georgia Department of Labor - GDOL)
- National programs, including Job Corps and MSFW Employment and Training Programs (Job Corps centers and contractors, Telamon Corp.)
- Wagner-Peyser (GDOL Employment Services)
- Adult education and literacy activities (Department of Technical and Adult Education - DTAE, and Department of Education - DOE)
- Vocational Rehabilitation (GDOL Vocational Rehabilitation)
- Older Worker programs (Department of Human Resources - DHR/Division of Aging and Title V Grantees)
- Post-secondary vocational education activities authorized under Perkins (DTAE)
- Trade Act services (GDOL)
- Unemployment Insurance (GDOL)
- Community Services Block Grant employment and training activities (DHR/local Community Action Agencies - CAA)
- HUD Employment and Training activities (Local housing authorities)
- Veterans employment and training services (GDOL Disabled Veterans Outreach Program and Local Veterans Employment Representatives)

The Preamble to Section 662 of the Final Rules clarifies that the responsibilities of a required partner apply only in those local areas where the required partner provides services. The Preamble further states that WIA was not intended to require new services in local areas, but instead to require collaboration through the One-Stop system in any local area in which such services are provided.

## ***How is the term “provides services” relative to the responsibilities of required partners to be interpreted?***

In Georgia, it is somewhat different for each of the required partners, as explained below:

- HUD Employment and Training- HUD is a required partner in those areas in which they operate employment and training programs. However, local HUD entities may not know they have these funds since funds are often distributed as a block grant. If you know your local HUD agency has employment and training funds, a HUD partner must be part of the board. If not, you are strongly encouraged to involve HUD as a full partner (by entering into a Memorandum of Understanding (MOU) and serving on the Local Board) in your One-Stop system due to the valuable contribution they can make to the system.
- Job Corps and Youth Opportunity Grants – Presently, there are Job Corps centers in Atlanta, Brunswick, and Albany. In these local areas, Job Corps must be a full partner. Job Corps centers provide career preparation and career development services to students who are enrolled. Additionally, USDOL contracts with Dynamic Educational Systems, Inc. (DESI) to provide outreach and admissions services statewide, i.e., to help recruit students for Job Corps. Odle Management Group (OMG) currently has a contract to provide career transition services statewide to help students who have completed Job Corps reintegrate successfully into their communities. All local areas should establish linkages with both service providers to ensure that customers have access to Job Corps services statewide. Job Corps representation on WIA youth councils would bring valuable resource to the table. For additional information about Job Corps, please visit: <http://jobcorps.dol.gov/>.
- Title V of the Older Americans Act- Agencies that provide Title V services are required to be full partners, with one representative on each Local Board. In Georgia, Title V services are provided by national sponsors, such as Experience Works, U.S. Department of Agriculture (USDA) Forest Service, the National Council on the Aging, Easter Seals, and others. In addition, several Area Agencies on Aging contract with local non-profit organizations to provide Title V services.
- Community Services Block Grant (Employment and Training)- There are presently 19 Community Action Agencies providing services to Georgia's 154 counties:

### Action, Inc./Athens

Counties Served: Barrow, Clarke, Elbert, Greene, Jackson, Madison, Morgan, Oconee, Oglethorpe, Walton

### Central Savannah River Area Economic Opportunity Authority, Inc./Augusta

Counties Served: Burke, Columbia, Emanuel, Glascock, Jefferson, Jenkins, Lincoln, McDuffie, Richmond, Screven, Taliaferro, Warren, Wilkes

Clayton County Community Services Authority, Inc./Forest Park  
 Counties Served: Clayton, Fayette

Coastal Georgia Community Action Authority/Brunswick  
 Counties Served: Bryan, Camden, Glynn, Liberty, McIntosh

Coastal Plain Area Economic Opportunity Authority, Inc./Valdosta  
 Counties Served: Ben Hill, Berrien, Brooks, Cook, Echols, Irwin, Lanier, Lowndes, Tift, Turner

Community Action for Improvement, Inc./LaGrange  
 Counties Served: Carroll, Coweta, Heard, Meriwether, Troup

Concerted Services, Inc./Waycross  
 Counties Served: Appling, Atkinson, Bacon, Brantley, Bulloch, Candler, Charlton, Clinch, Coffee, Effingham, Evans, Jeff Davis, Long, Pierce, Tattnall, Toombs, Ware, Wayne

Enrichment Services Program, Inc./Columbus  
 Counties Served: Chattahoochee, Clay, Harris, Muscogee, Quitman, Randolph, Stewart, Talbot

Fulton-Atlanta Community Action Agency, Inc./Atlanta  
 Counties Served: Fulton

Heart of Georgia Community Action Council/Eastman  
 Counties Served: Bleckley, Dodge, Laurens, Montgomery, Pulaski, Telfair, Treutlen, Wheeler, Wilcox

Macon-Bibb Economic Opportunity Council, Inc./Macon  
 Counties Served: Bibb

Middle Georgia Community Action Agency, Inc./Warner Robins  
 Counties Served: Butts, Crawford, Houston, Jones, Lamar, Monroe, Peach, Pike, Twiggs, Upson

Ninth District Opportunity, Inc./Gainesville  
 Counties Served: Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union, White

North Georgia Community Action Agency/Jasper  
 Counties Served: Catoosa, Chattooga, Cherokee, Dade, Fannin, Gilmer, Murray, Pickens, Walker, Whitfield

Overview, Inc./Milledgeville  
 Counties Served: Baldwin, Hancock, Jasper, Johnson, Putnam, Washington, Wilkinson

Partnership for Community Action, Inc./Decatur  
 Counties Served: DeKalb, Gwinnett, Rockdale

Southwest Georgia Community Action Council/Moultrie  
 Counties Served: Baker, Calhoun, Colquitt, Decatur, Dougherty, Early, Grady, Lee, Miller, Mitchell, Seminole, Terrell, Thomas, Worth

Tallatoona Community Action Partnership, Inc./Cartersville  
 Counties Served: Bartow, Douglas, Floyd, Gordon, Haralson, Paulding, Polk

West Central Georgia Community Action Authority, Inc./Montezuma  
 Counties Served: Crisp, Dooly, Macon, Marion, Schley, Sumter, Taylor, Webster

If Community Services Block Grant employment and training services are being provided in your community, then the providers are required to be full partners in the WIA system. Community Action Agencies, as well as other community and faith-based organizations, can be valuable contributors to local workforce systems in a variety of way.

***We need to replace a Department of Family and Children Services (DFCS) representative on our local Workforce Investment Board who left the agency. Who selects the new representative – board chair? Chief elected official? Local DFCS? State level DFCS?***

Chief local elected officials make the actual appointments, but officials often seek recommendations from state or regional level senior staff regarding good candidates. For example, the GDOL Assistant Commissioner of Field Services makes GDOL recommendations to Local Boards upon request. We suggest you talk with a county director to determine who typically makes these recommendations for DFCS.

The strength of your local workforce system depends largely on the strength of your local Workforce Investment Board. While board members must be selected to represent a particular category, i.e., business, education, labor organizations, community based organizations, economic development and One-Stop partners, all members must be committed to workforce needs of the entire community, not just their organization's constituency. Further, members must be able to represent their entire sector. For example, a member representing DFCS is, in fact, representing the broad array of DFCS/DHR staff, services and customers for the entire region, not just their own office. Members must also be able to represent the vision and perspective of their agency or department at the state level.

***Can a board member represent more than one entity or institution?***

Yes. When members can meet multiple requirements, it will help to keep the board to a manageable size. Multiple representation may not, however, be appropriate in all cases. Keep in mind that members must also have optimum policy making authority for the entities, institutions, or programs they represent.

- 661.316      Who may be selected to represent a particular One-Stop partner program on the Local Board when there is more than one partner program entity in the local area?
- 661.320      Who must chair a Local Board?
- 661.325      What criteria will be used to establish the membership of the Local Board?

## ***What are Georgia's criteria for establishing the membership of Local Boards?***

Through issuance of the Local Board Appointment/Certification package in April 2000, chief local elected officials were asked to appoint Local Boards and were encouraged to consider the following points in establishing Local Boards:

- Board appointments should reflect the ethnic, gender, and geographic diversity of the area.
- Private sector appointments should involve individuals who operate businesses or are high-level management staff with policy-making and/or hiring authority. The businesses represented on the board should include growth industries in the local area. The private sector members are to be nominated by local business organizations and business trade associations.
- Include TANF/Food Stamps and offender community workforce program representatives.
- Ensure that individuals selected are committed to serving on the board and are willing to perform the required duties.
- Consider appointing individuals who are currently active members of existing workforce, employer, or related boards or commissions to promote linkage with other existing community boards, with a long-range goal of board consolidation to ensure the most effective use of volunteers' time.

661.330 Under what circumstances may the State use an alternative entity as the Local Workforce Investment Board?

661.335 What is a youth council, and what is its relationship to the Local Board?

***We have a local youth program that provides innovative services to youth at risk of dropping out of school. Is it possible for lead staff from this organization to become members of the youth council to help us address this critical issue?***

Local areas have a large measure of flexibility and control in shaping local councils. The Local Workforce Board chair and elected officials decide who serves on the youth council. We suggest you let them know about this local resource to see if there is a vacant seat on the youth council. In many areas, the workforce board invites non-council members to serve on committees, even if there is not an official board vacancy. We encourage you to find ways to include a broad array of perspectives to shape local services for youth.

***What is the relationship between the youth council and the Local Workforce Board?***

The local board, in partnership with the chief elected official(s), is responsible for oversight of youth activities, including appointing the youth council. WIA establishes youth councils as a sub-group of the local board, with the intent of broadening participation in the design and delivery of youth services at the local level.

The youth council, as a sub-group of the local board, functions much like any other committee of the board. However, WIA gives the local board authority to delegate its responsibility for oversight of youth activities to the youth council, recognizing the advantage of delegating these responsibilities to members who have expertise in youth issues.

661.340      What are the responsibilities of the youth council?

### ***What is the role and responsibility of the youth council chair?***

Youth council chairs function in a similar capacity as other committee chairs of the local board. The primary role of a chairperson is to ensure that the council fulfills its major responsibilities as outlined in WIA, in addition to any locally defined responsibilities.

Additional information on the role and responsibilities of Local Boards and youth councils is available at:

- The National Association of Workforce Boards: [www.nawb.org/](http://www.nawb.org/)
- The Workforce Excellence Network:  
[www.workforce-excellence.net/content/service\\_training.asp](http://www.workforce-excellence.net/content/service_training.asp)
- USDOL: [www.doleta.gov/youth\\_services/Tech\\_assistance.cfm](http://www.doleta.gov/youth_services/Tech_assistance.cfm) (Youth Council Toolkit, Youth Council Training Modules)

661.345      What are the requirements for the submission of the local workforce investment plan?

### ***What is the history of local WIA planning in Georgia?***

The development of Georgia's workforce development system is an evolutionary process that actually began long before the implementation of WIA in July 2000 with state and local area planning groups. Local workforce areas were required to submit initial service plans in the spring of 2000 in order to receive WIA funds by July 1, 2000. The initial plans focused on, at a minimum, services of the Georgia Departments of Labor, Technical and Adult Education, and Family and Children Services, Rehabilitation Services, older worker services, and others as well as WIA Title I. Local workforce areas were encouraged to use existing economic development and workforce plans, such as those of the Department of Community Affairs' Regional Advisory Councils as a starting point, while continuing to develop local systems.

Local workforce areas were required to submit more comprehensive local plans in the fall of 2000. Then, in the fall of 2001, local workforce areas were provided the opportunity to apply for strategic planning grants. The \$50,000 grants were intended to help local systems more fully engage local stakeholders in identifying emerging trends and issues, developing a vision for the future, evaluating the current environment, and developing comprehensive plans establishing strategic directions for local workforce development systems. An application model was provided, although regions and local areas had great flexibility in developing their strategic plans. All 20-workforce areas took advantage of this opportunity.

In 2003, local areas completed two-year plan updates that included negotiated performance levels for PY 2003 and 2004. These updated plans reflected more extensive discussions of service delivery design and execution.

In 2005, local areas again submitted two-year plan updates. The updates included negotiated performance levels for PY 2005 and 2006, and reflected USDOL's new priorities: service integration, faith-based providers, out-of-school youth, services to businesses, priority of services for veterans, and services to older workers.

In spring of 2007, local areas were again required to submit two-year plan updates. These updates included negotiated performance targets for PY 2007 and 2008, and reflected USDOL/ETA's National Strategic Direction: Workforce Innovation in Regional Economic Development (WIRED) Initiative (coordination of workforce development, economic development, and education resources and initiatives to meet the needs of emerging and existing businesses); focus at the regional economic level; and ETA's New Strategic Vision for the Delivery of Youth Services Under WIA.

## ***H***as Georgia established any publishing requirements for local WIA plans?

The State has not established any additional publishing requirements other than those at Section 661.345, which include the following:

- Making copies available to the public
- Including an opportunity for comment by the board and public
- Providing at least a thirty-day comment period
- Making plan information available to the public on a regular basis through open meetings

Comments that express disagreement with the plan must be included in submittal of the plan to GDOL.

Both local plans and Georgia's state plan are available at [www.dol.state.ga.us](http://www.dol.state.ga.us) (Workforce Professionals/Learn About WIA Services/WIA Plan Information).

661.350      What are the contents of the local workforce investment plan?



## ***Where can our local workforce area get labor market and related information for planning purposes?***

GDOL Workforce Information and Analysis (WI&A) collects, analyzes, and publishes a wide array of information about the state's labor market. This information provides a snapshot of Georgia's economy, job market, businesses, and its workforce. Data on jobs and workers, including labor force, employment and unemployment, industrial growth, occupational trends, and wage rates, are increasingly important to remaining competitive in the global marketplace.

Many resources, available in different configurations (e.g., by state, Metropolitan Statistical Area (MSA), county, region, and/or workforce areas) can be accessed at GDOL's web site: [www.dol.state.ga.us](http://www.dol.state.ga.us) (Labor Market Information), or by contacting the GDOL Career Development Services Division or Workforce Information and Analysis (WI&A).

Additionally, WI&A publishes several resources that are updated periodically, including the following:

- Dimensions- Measuring Georgia's Workforce
- Georgia Workforce Trends in Brief
- Employment & Wages
- Career Planner
- Georgia Area Labor Profiles
- Georgia Wage Survey
- Georgia Labor Force Estimates
- Georgia Nonagricultural Employment
- Unemployment Insurance Initial Claims
- Georgia Area Occupational Wages
- Georgia Jobs: Area Short-term Employment Projections
- Georgia Jobs: Short-term Employment Projections
- Georgia Area Workforce Trends
- Georgia Workforce 2012 – Long-term Employment Trends
- Georgia's Hot Careers
- Licensed and Certified Occupations in Georgia

Data Tools, a customized labor market information tool (CD), is also included with local planning guidance distributed to local workforce areas.

## ***What is Georgia LaborMarket Explorer, and can it be used for local WIA planning purposes?***

Georgia LaborMarket Explorer is a dynamic and interactive information online system that contains a wide range of information about the labor market and economic conditions for Georgia and local areas. Information is customized for individuals, employers, and labor market researchers/workforce professionals.

Available information includes wages by occupation and industry, jobs that are growing or declining, unemployment rates, employers by occupation and industry, and employment trends. Also included are easy to use career exploration tools and occupational profiles, career videos, information on education and training programs, and much more.

Georgia LaborMarket Explorer can be of great value for WIA planning purposes, especially the labor market researchers' track. Visit Georgia LaborMarket Explorer at: <http://explorer.dol.state.ga.us>.

661.355 When must a local plan be modified?

### ***What are Georgia's procedures governing the modification of local plans?***

The Department has empowered local workforce areas to determine when to modify local plans resulting from significant changes in the local workforce system. (A good way to ensure interested parties can access the most current planning information is through posting plans on a local web site.) Local areas are requested to submit significant modifications to GDOL Career Development Services. These would include newly negotiated performance levels, major changes in service strategies, and other major strategic changes. Local areas must have a system for maintaining both significant and minor changes, but submittal of minor modifications to GDOL is not required.

## **SUBPART D - WAIVERS AND WORK-FLEX WAIVERS**

661.400 What is the purpose of the General Statutory and Regulatory Waiver Authority provided at section 189(l)(4) of the Workforce Investment Act?

661.410 What provisions of WIA and the Wagner-Peyser Act may be waived, and what provisions may not be waived?

661.420 Under what conditions may a Governor request, and the Secretary approve, a general waiver of statutory or regulatory requirements under WIA section 189(l)(4)?

### ***Have any waivers been approved for the State of Georgia?***

Yes. Four waivers have been approved for the State of Georgia.

#### Waiver for ITAs for Older Youth

In February 2003, USDOL granted GDOL's waiver request on behalf of all local areas to allow older out-of-school youth access to adult Individual Training Accounts (ITAs) while maintaining their older youth identity for expenditure purposes. Areas interested in using this waiver submitted requested documentation to the State, and outlined their approach in their WIA plans.

#### Hurricane Related Waivers

In February 2006, USDOL granted three waivers requested by GDOL submitted in response to the influx of customers from States impacted by the hurricanes of 2005.

The first waiver allowed for the exclusion of individuals from States impacted by the Hurricanes served under WIA formula funds from WIA performance measures, when they (the participant) was unable to complete planned WIA activities because they returned to their home or moved to a new location prior to program completion. Performance exclusions must be documented and are subject to data validation and/or audit.

The second waiver allowed local areas serving hurricane-impacted youth participants to use WIA youth funds for activities such as after school work experience or tutoring, without meeting other required elements for youth programs. Local areas choosing to implement this waiver were required to:

- Apply the waiver only to hurricane-impacted youth receiving WIA formula-funded services; and
- Develop local policies and procedures regarding waiver implementation, including FEMA eligibility documentation along with local requirements for WIA compliance.

The third waiver removed the follow-up requirement for hurricane-impacted youth participants to receive follow-up services for 12 months after exit. Local areas choosing to implement this waiver were required to:

- Ensure staff maintained contact with hurricane-impacted youth after exit until the youth moved from the workforce area or completed the 12-month follow-up period;
- Make all reasonable efforts to locate youth for the provision of follow-up services, and
- Maintain documentation of the youths' unavailability to receive follow-up services.

661.430      Under what conditions may the Governor submit a Workforce Flexibility Plan?

### ***Does Georgia plan to submit a Workforce Flexibility Plan?***

A workforce flexibility (work-flex) plan allows states to waive certain statutory or regulatory requirements of WIA and the Wagner-Peyser Act, in order to achieve maximum flexibility in the design and implementation of workforce systems.

To date, Georgia has not determined it to be appropriate or feasible to submit a general waiver plan. As Georgia's system continues to evolve, however, it is possible that impediments will be identified that may lead to waiver requests. Please contact GDOL Career Development Services for work-flex waiver consideration.

661.440      What limitations apply to the State's Workforce Flexibility Plan Authority under WIA?

# **CHAPTER 3: STATEWIDE AND LOCAL GOVERNANCE**

## Chapter 3: Statewide and Local Governance

Part 661 – Statewide and Local Governance of the Workforce Investment System under Title I of the Workforce Investment Act

### SUBPART A - GENERAL GOVERNANCE PROVISIONS

661.100 What is the role of the Workforce Investment System?

**What does WIA mean by “universal access”?**

The concept of universal access, one of seven basic principles embodied in the Act, is defined at the beginning of the Act. Basically, any individual will have access to the One-Stop system and to core employment-related services. Such core services include, but are not limited to: information about job vacancies, career options, student financial aid, relevant employment trends, and instruction on how to conduct a job search, prepare a resume, or interview with an employer. These core services are available to any job seeker in the U.S., or anyone who wants to advance his or her career.

661.110 What is the role of the Department of Labor as the Federal governmental partner in the governance of the workforce investment system?

661.120 What are the roles of the local and State governmental partners in the governance of the workforce investment system?

**Is our local area required to have a policy manual?**

Both local and state partners have the authority, and in many cases, responsibility to establish policies, interpretations, guidelines, and definitions relating to the operation of WIA, as long as the policy/guidance is consistent with the Act and Final Rules. (USDOL issued 13 different sets of regulations to govern the implementation of WIA. Twelve parts are codified in Title 20 of the Code of Federal Regulations (20 CFR). Non-discrimination regulations, implementing Section 188 of WIA, are in 29 CFR Part 37. In addition, the general administrative regulations in 29 CFR Part 667 incorporate by reference several other sets of regulations covering a variety of topics.)

Local workforce areas have the responsibility to know federal requirements and to establish all policies required by the Act and regulations, many of which must be published in the area's WIA plan. Local areas should develop additional policies as appropriate to guide local operations to ensure quality services for customers where gaps are identified or where specificity is needed. Local policies may be more stringent than federal or state policies, as long as they are consistent with the intent of the Act.

From the very beginning of WIA implementation in July 2000, the state of Georgia has worked to ensure local Workforce Investment Boards and chief local elected officials have maximum flexibility allowed by federal law and regulations in designing workforce development systems that meet the needs of their communities. Georgia has developed and imposed only minimal additional state policies to supplement federal guidance, primarily when required to do so by the law or regulations. The State has not substituted its judgment for that of local areas, unless the matter is primarily a state concern.

## **SUBPART B – STATE GOVERNANCE PROVISIONS**

661.200      What is the State Workforce Investment Board?

***H***ow can we find out the membership of Georgia's State Board?

The Georgia Workforce Investment Board was established by Executive Order on December 15, 1999. Governor Perdue reconstituted the State Workforce Investment Board under his Office and established the Governor's Office of Workforce Development (GOWFD) by Executive Order dated February 2, 2006.

For additional information about State Workforce Investment Board membership, visit the Governor's Office of Workforce Development at: [www.gowfd.org](http://www.gowfd.org).

661.203      What is meant by the terms "optimum policy making authority" and "expertise relating to [a] program, service or activity"?

***W***ho is entitled to a seat on the State or Local Board?

The preamble to the Final Rules makes it clear that no individual or group other than the Governor is entitled to a *seat* on a State or Local Board. However, specific groups, including One-Stop partner programs, are entitled to a *voice* on the boards through a representative.

These particular groups do not, however, have the right to choose who will sit on a board. Only the Governor and chief elected officials have the authority to make board appointments, as long as the individual appointed has optimum policy-making authority.

661.205      What is the role of the State Board?

***H***ow can we find out what the State Board is working on?

Information about the State Board's activities and initiatives is available at the Governor's Office of Workforce Development web site at: [www.gowfd.org](http://www.gowfd.org).

- 661.207 How does the State Board meet its requirement to conduct business in an open manner under the "sunshine provision" of WIA section 111(g)?
- 661.210 Under what circumstances may the Governor select an alternative entity in place of the State Workforce Investment Board?
- 662.220 What are requirements for the submission of the State Workforce Investment Plan?

### ***Where can I find Georgia's State Plan?***

Georgia's Unified State Workforce Investment Plan was approved by USDOL in December 2000, and has been updated periodically since then. Georgia's updated Unified WIA Plan for Program Years 2003 through 2005 was approved by USDOL in 2003, and Georgia's current plan covering Program Years 2005 through 2006 was approved by USDOL in 2005.

Georgia's Unified WIA Plan will be updated for program years 2007 through 2008 in spring of 2007 and will be available at: [www.dol.state.ga.us](http://www.dol.state.ga.us) (Workforce Professionals/Learn About WIA Services/WIA Plan Information). Local workforce area plans are also available at this site.

- 661.230 What are the requirements for modification of the State Workforce Investment Plan?

### ***Has Georgia submitted a state plan modification?***

Yes. As noted above, the state plan was modified in 2003 to submit negotiated statewide performance levels for PY 2003 and 2004, and again in 2005 to submit negotiated statewide performance levels for PY 2005 and 2006. The modifications also included a variety of programmatic updates. A modification for PY 2007 and 2008 will be completed in spring of 2007. It will be posted at: [www.dol.state.ga.us](http://www.dol.state.ga.us) (Workforce Professionals/Learn About WIA Services/WIA Plan Information).

- 661.240 How do the unified planning requirements apply to the five-year strategic WIA and Wagner-Peyser plan and to other Department of Labor plans?

### ***Is Georgia's state plan a unified plan?***

Yes. Georgia's state plan includes the services and activities of WIA, Wagner-Peyser, Unemployment Insurance (UI), and Vocational Rehabilitation as partners in Georgia's One-Stop system.



661.250 What are the requirements for designation of local workforce investment areas?

***What criteria were considered in the designation of local workforce areas?***

The Governor gave consideration to the following:

- The 12 State Service Delivery Regions in Georgia as established by state law in 1997 (HB 1650)
- Geographic areas served by local educational agencies and intermediate education agencies
- Geographic areas served by post-secondary education institutions and area technical schools
- The extent to which local areas were consistent with labor market areas
- The distance that individuals needed to travel to receive services
- The resources available to effectively administer the activities carried out under title I of the Workforce Investment Act

***What are Georgia's workforce investment areas?***

In July 2000, the Governor designated 20 local workforce investment areas within the 12 state Service Delivery Regions in Georgia. (See Appendix 1)

661.260 What are the requirements for automatic designation of workforce investment areas relating to units of local government with a population of 500,000 or more?

661.270 What are the requirements for temporary and subsequent designation of workforce investment areas relating to areas that had been designated as service delivery areas under JTPA?

***In Georgia, were any areas temporarily designated as workforce investment areas due to previous designation as service delivery areas under JTPA?***

Yes. Effective July 2000, nine areas in Georgia received automatic temporary designation as local WIA areas for two years. The Governor granted the temporary designation in response to a request from any unit of general local government (or combination of such units) with a population of 200,000 or more that was a service delivery area under JTPA; had performed successfully in the two years prior to the request; and had sustained fiscal integrity during this time. The nine areas were:

- Northwest Georgia
- Georgia Mountains
- City of Atlanta
- DeKalb County
- West Central Georgia
- Richmond/Burke
- Lower Chattahoochee
- Southwest Georgia
- South Georgia

### ***What was the subsequent designation process in Georgia?***

Designation for the nine areas temporarily designated as local WIA areas was extended in 2001 based on the following determination that each area:

- Had substantially met the local performance measures for the local area, and
- Had sustained the fiscal integrity of the funds used by the area to carry out workforce activities

The Local Board chairperson and chief local elected official(s) from all nine areas affirmed their desire to continue their designation by signing a brief declaration that their area met the above requirements. The State Board reviewed the requests and submitted them to the Governor, who subsequently extended designation for all nine areas.

661.280      What right does an entity have to appeal the Governor's decision rejecting a request for designation as a workforce investment area?

### ***What is the process for appealing designation decisions in Georgia?***

Any area of general local government or grant recipient that requested, but was not granted designation as a workforce investment area, could appeal the Governor's action to the state Workforce Investment Board. If the appeal did not result in designation as an area, an appeal could be made to the U.S. Secretary of Labor.

The appeal had to be made in writing to the chair of the Georgia Workforce Investment Board within 30 calendar days of the date of the initial denial letter. The board had 30 calendar days of the date of the appeal to issue a decision. If the State Board denied designation, the unit of government could appeal to the Secretary of Labor in writing within 15 calendar days from the date of the State Board's letter.

No areas were denied designation as a workforce investment area, so no appeals were filed.

661.290      Under what circumstances may States require Local Boards to take part in regional planning activities?

## ***Does Georgia mandate regional planning?***

WIA 116(c)(1) allows states to mandate regional planning, which Georgia has done to a certain degree. Regional planning is a required evolutionary process involving the 12 state Service Delivery Regions. Although the State requires planning, coordination, and sharing of information among workforce areas within state Service Delivery Regions, regional performance measures are not mandated. Regional planning does not substitute for, but rather guides and enhances service delivery by the 20 local service areas designated under WIA. Georgia will continue to encourage regional planning and collaboration where feasible to enhance regional economic growth.

## ***Is the State Workforce Board or an individual state agency able to prescribe how workforce programs are operated at the regional level?***

WIA does not alter the legislative mandates, authority and accountability of workforce “programs” funded by various federal agencies or grant organizations. WIA does, however, lay the foundation for regional input from a broad array of employers and organizations to put a locally designed workforce system in place.

Georgia encourages local areas to engage in regional planning. This was reinforced in 2001 by the provision of grants to local WIA boards for each state Service Delivery Region. Local Workforce Boards should view the boards authorized by the Georgia Department of Economic Development (GDEcD), chambers of commerce, and other organizations involved in community development as partners and work closely with them to determine overall service strategies for local workforce systems being established within the region. Helpful web sites include the following:

- Georgia Department of Economic Development: [www.georgia.org/](http://www.georgia.org/)
- Georgia Chamber of Commerce: [www.gachamber.com/](http://www.gachamber.com/)
- Georgia Department of Community Affairs: [www.dca.state.ga.us/](http://www.dca.state.ga.us/)
- Georgia Department of Labor: [www.dol.state.ga.us/](http://www.dol.state.ga.us/)

## ***What is USDOL's approach to regional planning?***

While global competition is typically seen as a national challenge, USDOL/ETA emphasizes that solutions will come from regional economies as successful connections are made among three key elements: talent, infrastructure, and investment.

In November 2005, USDOL/ETA launched the Workforce Innovation Regional Economic Development (WIRED) Initiative. The WIRED framework brings together the key players in a region (e.g., state, local and federal entities, academic institutions [including K-12, community colleges and universities], investment groups, foundations, and business and industry) to leverage collective public and private sector assets and resources and connect the three key elements noted above. Local Workforce Investment Boards are key partners in WIRED initiatives.

## ***D***oes Georgia have any WIRED regions?

To date, there have been two generations of WIRED grant recipients. While a total of 32 regions were approved nationwide, Georgia's four applications were not among those approved. A third call for WIRED proposals was announced in February 2006 and two new applications were submitted. For additional information, visit: [www.doleta.gov/wired/](http://www.doleta.gov/wired/).

### **SUBPART C - LOCAL GOVERNANCE PROVISIONS**

661.300      What is the Local Workforce Investment Board?

## ***W***hat is required if a workforce investment area includes more than one unit of general local government?

If a workforce investment area includes more than one unit of general local government, the area must develop an agreement outlining the approach to carrying out WIA responsibilities including appointing the Local Workforce Board, establishing a youth council, selecting a grant recipient, and addressing liability for WIA funds. The following items should be addressed in the agreement:

- Designation of an individual to represent each county in the local area
- Authority of the chief elected officials (CEOs) to act on behalf of constituent governments
- Designation of an individual CEO (and the government represented) as the grant recipient; or, designation of an alternative entity as grant recipient
- Appointment of members of the Local Board
- Responsibilities assigned to CEOs by WIA
- Certification that WIA is included in the service delivery strategy plan(s) of the county(ies), and that the county(ies) are in compliance with Georgia's Service Delivery Strategy Act
- Provisions for how the area will repay any WIA funds that may be subsequently disallowed
- Identification of the entity that will perform administrative tasks for the area
- Other matters of importance to the local workforce area

## ***H***ow does the Local Board recertification process work in Georgia?

Once local workforce areas were satisfied that their board's membership would provide the best possible leadership for their area's success with WIA, the chief local elected official(s) was required to submit a listing of board and youth council members in preparation for the Governor's recertification of the Local Boards. All 20 Local Workforce Boards were recertified in 2002.

In Georgia, each of the 20 local WIA areas has had satisfactory performance each year, since the inception of WIA. Therefore, none of the existing boards have been required to change.

All local areas are encouraged to regularly examine their current membership to ensure that:

- A majority (51%) of members are representatives of business
- There are at least two members each from local education, economic development, organized labor, and community based organizations
- There are a maximum degree of cross-membership of the Local Board with other workforce and economic development boards in the community
- All required One-Stop system partners are represented

661.305      What is the role of the Local Workforce Investment Board?

### ***Can you elaborate on the role of local Workforce Investment Boards?***

The primary role of the Local Board is to ensure that workforce development services operating within the workforce investment area, effectively and efficiently support the employment and training needs of all job seekers, including discouraged workers, individuals who are unemployed, or underemployed, youth, persons with disabilities, and seniors. Local Workforce Investment Boards function as "boards of directors" focusing on strategic planning, policy development, and oversight of the local workforce development system.

The Local Board oversees a system of services in a local area, including the connection of workforce, education, and economic development. The success in establishing a local workforce system will depend upon the degree to which meaningful partnerships are established among all area economic, education, and workforce development programs and agencies.

### ***What are the responsibilities of local Workforce Investment Boards?***

Responsibilities of Local Workforce Boards include, but are not limited to the following:

- Develop and submit a local plan in partnership with the local chief elected official(s)
- Participate in the development of a regional plan if the local area lies within a region
- Designate or certify One-Stop operators with the agreement of the local chief elected official(s) (Terminate the eligibility of such operators where necessary)
- Identify eligible youth providers through a competitive process
- Identify eligible training providers and, where needed, identify providers of intensive services using a competitive process

- Develop a budget to carry out required duties, subject to the approval of the chief local elected official(s)
- Conduct program oversight of youth and adult local employment and training activities and the One-Stop delivery system in the local area
- Negotiate with the local chief elected official(s) and the Governor on program performance measures
- Assist the Governor in developing the statewide employment statistics system.
- Ensure coordination of the workforce investment activities with the area's economic development strategies and develop employer connections to such activities
- Promote the participation of private employers in the statewide workforce development system and assist these employers in meeting hiring needs through the local workforce system
- Establish, in cooperation with the local chief elected official(s), a subcommittee that shall be known as a youth council. The youth council shall include board members with special interest or expertise in youth policy. In addition, it shall include representatives of:
  - Youth service agencies
  - Local public housing authorities
  - Job Corps
  - Parents of eligible youth customers
  - Individuals with experience relating to youth activities (e.g., former customers, representatives of organizations, or others the Local Board chair and elected official(s) determine to be appropriate)
- May enter into an agreement with the local chief elected official(s) that describes respective roles and responsibilities of the board and CEOs
- Coordinate with other workforce and economic development activities carried out in the region. Examples include the efforts of the Georgia Departments of Economic Development and Community Affairs; universities, colleges and technical colleges; empowerment zones; and similar efforts.
- Build on existing local youth service organizations in creating the youth council and may select a member of the Local Workforce Board to chair the council

### ***How many members should be present to be considered a quorum to vote on local Workforce Investment Board business?***

Determining what constitutes a quorum is a Local Board decision. There are many definitions of quorum, for example: a requirement that a specific percentage of the board's membership is present at a meeting; at least 50% of the Executive Committee is present at a meeting; a provision for proxy voting; a provision for conference calling, to name just a few. The quorum definition adopted by a Local Board must be consistent and documented in Local Board by-laws and/or standard operating procedures.

## ***What Local Board actions and decisions need to be documented?***

Local Boards and staff should ensure that all deliberations and important decisions made regarding the workforce system are fully documented through board or committee meeting minutes or separate documents as appropriate. Such information may be retained locally unless called for in the WIA plans. However, these items should be available for review by federal or state staff if requested. Actions that must be documented include, but are not limited to the following:

- Board selection of the area's One-Stop operator(s)
- CEO agreement with the One-Stop operator selection
- CEO agreement with the area's Memorandum(s) of Understanding (MOU)
- Advance public notice of board meetings
- A written policy that safeguards against Local Board member conflict of interest
- Procurement results and funding decisions
- Development and approval of area budget
- Notice of the availability of the local WIA plan for public review and comment  
(Note: This applies to new plans and major updates, not minor revisions to an existing plan.)

## ***What is the State's conflict of interest policy?***

A member of the state or a Local Workforce Board may not vote on a matter under consideration by the board regarding the provision of services by the member or by an entity represented by that member, or that would provide direct financial benefit to the member or someone in the immediate family of the member. Georgia has defined immediate family as: husband, wife, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.

Local areas should have their own conflict of interest policies that may be more restrictive than the State's policy, but, at minimum, must conform to the State's policy.

- 661.306      How does the Local Board meet its requirement to conduct business in an open manner under the "sunshine provision" of WIA section 117(e)?
- 661.307      How does the Local Board meet its requirement to conduct business in an open manner under the "sunshine provision" of WIA section 117(e)?

## **What are State and Federal Open Meeting requirements?**

"Sunshine" or open meeting requirements are found in Sections 661.307 of the WIA Final Rules and Georgia Open Meetings Act, OCGA 50-14-(e)(1). Local Boards are required to conduct business in an open manner by ensuring meetings are posted and open to the public in accordance with the following:

- Announcing meetings to the general public in a conspicuous place, including the date, time and place of the meeting.
- Posting an agenda of all matters expected to come before the Local Board sometime during the two weeks prior to the meeting.
- Making a written summary of subjects acted on and members present available for public inspection within two business days of the meeting.
- Making the minutes of the meeting available for public inspection by no later than the next regular Local Board meeting.
- Having the minutes reflect that Local Board members with a conflict of interest in a specific matter or issue excused themselves from the discussion and/or abstained from voting on the matter.
- If the meeting was closed, the Local Board must ensure the reason for the closure was in accordance with State law (i.e. discussing or deliberating on personnel matters).
- If the meeting was closed, the official minutes must state the specific reason for the closure, reflect the vote to close the meeting, the members present, members voting for closure, and an affidavit from the chair or presiding member stating under oath the subject matter of the closed portion of the meeting.

661.310 Under what limited conditions may a Local Board directly be a provider of core services, intensive services, or training services, or act as a One-Stop operator?

661.315 Who are the required members of the Local Workforce Investment Boards?

## **What are the criteria for Local Board membership and suggestions for the member categories?**

When establishing a Local Board, local areas must select members representing business, education, labor organizations, community based organizations, economic development, and One-Stop partners. In order to identify Local Board members, areas will want to solicit a wide range of businesses and other organizations. Active members from affiliated boards, such as Georgia Department of Labor (GDOL) Employer Committees, technical college advisory boards, Regional Advisory Boards, and Family Connection collaborative boards can bring extensive knowledge, experience, and strong skills to the Local Board and should be considered for local workforce investment board membership. Criteria for membership and suggestions for each member category are listed below:



**Business-** A majority of the members of the Local Workforce Board must be representatives of business in the local area who are:

- Owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimal policy-making or hiring authority.
- Representatives of businesses with employment opportunities that reflect the employment opportunities of the local area.
- Nominated by local business organizations and business trade associations.

Business representatives should include representatives of small businesses and minority businesses to the extent possible. Chamber(s) of Commerce and other business organizations should be used to solicit nominations.

**Education-** Two or more members must represent local educational agencies, including school boards, providers of adult education and literacy activities, and post-secondary institutions (technical colleges, two- and four-year colleges and universities). Representatives should be selected from among individuals nominated by regional or local educational agencies, institutions, or related organizations.

**Labor Organizations-** In areas where employees are represented by labor organizations, two or more members of the board must be selected from nominations made by labor federations. In a local area in which no employees are represented by labor organizations, two or more members of the board must be selected from nominations made by other representatives of employees.

**Community Based Organizations (CBO)-** Two or more representatives must be chosen from CBOs, including faith-based organizations and organizations representing individuals with disabilities and veterans, if these organizations are present in the area. Nominations from other community based organizations should also be considered.

**Economic Development-** Two representatives must be chosen to represent economic development, including private sector economic development entities. Examples of organizations that promote economic development include the Regional Advisory Councils (RACs), chambers of commerce, local government consortiums, industrial authorities, colleges and universities, the Departments of Economic Development and Community Affairs, and other similar organizations.

**One-Stop Partners-** Each of the One-Stop partner programs must be represented on the board, although one member may represent more than one program. (See next question.)

Beyond the mandatory partners, additional One-Stop partners may include:

- Temporary Assistance to Needy Families (TANF) programs authorized under the Social Security Act
- Employment and Training and work programs of the Food Stamp Act of 1977
- Corrections, and youth juvenile justice organizations
- Other representatives of workforce programs and entities the chief elected official(s) may choose

***Please help us understand the requirement that at least one member of the board must represent entities administering each of the 12 mandated One-Stop services. What are the services and the entities at the state level in Georgia that represent the 12 required services?***

WIA Section 121(b)(1) and Sections 661.315 and 662.200 of the Final Rules identify the entities that are required partners in local One-Stop systems. State-level administering agencies in Georgia are as follows:

- WIA title I adult, youth, and dislocated workers (Georgia Department of Labor - GDOL)
- National programs, including Job Corps and MSFW Employment and Training Programs (Job Corps centers and contractors, Telamon Corp.)
- Wagner-Peyser (GDOL Employment Services)
- Adult education and literacy activities (Department of Technical and Adult Education - DTAE, and Department of Education - DOE)
- Vocational Rehabilitation (GDOL Vocational Rehabilitation)
- Older Worker programs (Department of Human Resources - DHR/Division of Aging and Title V Grantees)
- Post-secondary vocational education activities authorized under Perkins (DTAE)
- Trade Act services (GDOL)
- Unemployment Insurance (GDOL)
- Community Services Block Grant employment and training activities (DHR/local Community Action Agencies - CAA)
- HUD Employment and Training activities (Local housing authorities)
- Veterans employment and training services (GDOL Disabled Veterans Outreach Program and Local Veterans Employment Representatives)

The Preamble to Section 662 of the Final Rules clarifies that the responsibilities of a required partner apply only in those local areas where the required partner provides services. The Preamble further states that WIA was not intended to require new services in local areas, but instead to require collaboration through the One-Stop system in any local area in which such services are provided.

## ***How is the term “provides services” relative to the responsibilities of required partners to be interpreted?***

In Georgia, it is somewhat different for each of the required partners, as explained below:

- HUD Employment and Training- HUD is a required partner in those areas in which they operate employment and training programs. However, local HUD entities may not know they have these funds since funds are often distributed as a block grant. If you know your local HUD agency has employment and training funds, a HUD partner must be part of the board. If not, you are strongly encouraged to involve HUD as a full partner (by entering into a Memorandum of Understanding (MOU) and serving on the Local Board) in your One-Stop system due to the valuable contribution they can make to the system.
- Job Corps and Youth Opportunity Grants – Presently, there are Job Corps centers in Atlanta, Brunswick, and Albany. In these local areas, Job Corps must be a full partner. Job Corps centers provide career preparation and career development services to students who are enrolled. Additionally, USDOL contracts with Dynamic Educational Systems, Inc. (DESI) to provide outreach and admissions services statewide, i.e., to help recruit students for Job Corps. Odle Management Group (OMG) currently has a contract to provide career transition services statewide to help students who have completed Job Corps reintegrate successfully into their communities. All local areas should establish linkages with both service providers to ensure that customers have access to Job Corps services statewide. Job Corps representation on WIA youth councils would bring valuable resource to the table. For additional information about Job Corps, please visit: <http://jobcorps.dol.gov/>.
- Title V of the Older Americans Act- Agencies that provide Title V services are required to be full partners, with one representative on each Local Board. In Georgia, Title V services are provided by national sponsors, such as Experience Works, U.S. Department of Agriculture (USDA) Forest Service, the National Council on the Aging, Easter Seals, and others. In addition, several Area Agencies on Aging contract with local non-profit organizations to provide Title V services.
- Community Services Block Grant (Employment and Training)- There are presently 19 Community Action Agencies providing services to Georgia's 154 counties:

### Action, Inc./Athens

Counties Served: Barrow, Clarke, Elbert, Greene, Jackson, Madison, Morgan, Oconee, Oglethorpe, Walton

### Central Savannah River Area Economic Opportunity Authority, Inc./Augusta

Counties Served: Burke, Columbia, Emanuel, Glascock, Jefferson, Jenkins, Lincoln, McDuffie, Richmond, Screven. Taliaferro, Warren, Wilkes

Clayton County Community Services Authority, Inc./Forest Park  
 Counties Served: Clayton, Fayette

Coastal Georgia Community Action Authority/Brunswick  
 Counties Served: Bryan, Camden, Glynn, Liberty, McIntosh

Coastal Plain Area Economic Opportunity Authority, Inc./Valdosta  
 Counties Served: Ben Hill, Berrien, Brooks, Cook, Echols, Irwin, Lanier, Lowndes, Tift, Turner

Community Action for Improvement, Inc./LaGrange  
 Counties Served: Carroll, Coweta, Heard, Meriwether, Troup

Concerted Services, Inc./Waycross  
 Counties Served: Appling, Atkinson, Bacon, Brantley, Bulloch, Candler, Charlton, Clinch, Coffee, Effingham, Evans, Jeff Davis, Long, Pierce, Tattnall, Toombs, Ware, Wayne

Enrichment Services Program, Inc./Columbus  
 Counties Served: Chattahoochee, Clay, Harris, Muscogee, Quitman, Randolph, Stewart, Talbot

Fulton-Atlanta Community Action Agency, Inc./Atlanta  
 Counties Served: Fulton

Heart of Georgia Community Action Council/Eastman  
 Counties Served: Bleckley, Dodge, Laurens, Montgomery, Pulaski, Telfair, Treutlen, Wheeler, Wilcox

Macon-Bibb Economic Opportunity Council, Inc./Macon  
 Counties Served: Bibb

Middle Georgia Community Action Agency, Inc./Warner Robins  
 Counties Served: Butts, Crawford, Houston, Jones, Lamar, Monroe, Peach, Pike, Twiggs, Upson

Ninth District Opportunity, Inc./Gainesville  
 Counties Served: Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union, White

North Georgia Community Action Agency/Jasper  
 Counties Served: Catoosa, Chattooga, Cherokee, Dade, Fannin, Gilmer, Murray, Pickens, Walker, Whitfield

Overview, Inc./Milledgeville  
 Counties Served: Baldwin, Hancock, Jasper, Johnson, Putnam, Washington, Wilkinson

Partnership for Community Action, Inc./Decatur  
 Counties Served: DeKalb, Gwinnett, Rockdale

Southwest Georgia Community Action Council/Moultrie  
 Counties Served: Baker, Calhoun, Colquitt, Decatur, Dougherty, Early, Grady, Lee, Miller, Mitchell, Seminole, Terrell, Thomas, Worth

Tallatoona Community Action Partnership, Inc./Cartersville  
 Counties Served: Bartow, Douglas, Floyd, Gordon, Haralson, Paulding, Polk

West Central Georgia Community Action Authority, Inc./Montezuma  
 Counties Served: Crisp, Dooley, Macon, Marion, Schley, Sumter, Taylor, Webster

If Community Services Block Grant employment and training services are being provided in your community, then the providers are required to be full partners in the WIA system. Community Action Agencies, as well as other community and faith-based organizations, can be valuable contributors to local workforce systems in a variety of way.

***We need to replace a Department of Family and Children Services (DFCS) representative on our local Workforce Investment Board who left the agency. Who selects the new representative – board chair? Chief elected official? Local DFCS? State level DFCS?***

Chief local elected officials make the actual appointments, but officials often seek recommendations from state or regional level senior staff regarding good candidates. For example, the GDOL Assistant Commissioner of Field Services makes GDOL recommendations to Local Boards upon request. We suggest you talk with a county director to determine who typically makes these recommendations for DFCS.

The strength of your local workforce system depends largely on the strength of your local Workforce Investment Board. While board members must be selected to represent a particular category, i.e., business, education, labor organizations, community based organizations, economic development and One-Stop partners, all members must be committed to workforce needs of the entire community, not just their organization's constituency. Further, members must be able to represent their entire sector. For example, a member representing DFCS is, in fact, representing the broad array of DFCS/DHR staff, services and customers for the entire region, not just their own office. Members must also be able to represent the vision and perspective of their agency or department at the state level.

***Can a board member represent more than one entity or institution?***

Yes. When members can meet multiple requirements, it will help to keep the board to a manageable size. Multiple representation may not, however, be appropriate in all cases. Keep in mind that members must also have optimum policy making authority for the entities, institutions, or programs they represent.

- 661.316      Who may be selected to represent a particular One-Stop partner program on the Local Board when there is more than one partner program entity in the local area?
- 661.320      Who must chair a Local Board?
- 661.325      What criteria will be used to establish the membership of the Local Board?

## ***What are Georgia's criteria for establishing the membership of Local Boards?***

Through issuance of the Local Board Appointment/Certification package in April 2000, chief local elected officials were asked to appoint Local Boards and were encouraged to consider the following points in establishing Local Boards:

- Board appointments should reflect the ethnic, gender, and geographic diversity of the area.
- Private sector appointments should involve individuals who operate businesses or are high-level management staff with policy-making and/or hiring authority. The businesses represented on the board should include growth industries in the local area. The private sector members are to be nominated by local business organizations and business trade associations.
- Include TANF/Food Stamps and offender community workforce program representatives.
- Ensure that individuals selected are committed to serving on the board and are willing to perform the required duties.
- Consider appointing individuals who are currently active members of existing workforce, employer, or related boards or commissions to promote linkage with other existing community boards, with a long-range goal of board consolidation to ensure the most effective use of volunteers' time.

661.330 Under what circumstances may the State use an alternative entity as the Local Workforce Investment Board?

661.335 What is a youth council, and what is its relationship to the Local Board?

***We have a local youth program that provides innovative services to youth at risk of dropping out of school. Is it possible for lead staff from this organization to become members of the youth council to help us address this critical issue?***

Local areas have a large measure of flexibility and control in shaping local councils. The Local Workforce Board chair and elected officials decide who serves on the youth council. We suggest you let them know about this local resource to see if there is a vacant seat on the youth council. In many areas, the workforce board invites non-council members to serve on committees, even if there is not an official board vacancy. We encourage you to find ways to include a broad array of perspectives to shape local services for youth.

***What is the relationship between the youth council and the Local Workforce Board?***

The local board, in partnership with the chief elected official(s), is responsible for oversight of youth activities, including appointing the youth council. WIA establishes youth councils as a sub-group of the local board, with the intent of broadening participation in the design and delivery of youth services at the local level.

The youth council, as a sub-group of the local board, functions much like any other committee of the board. However, WIA gives the local board authority to delegate its responsibility for oversight of youth activities to the youth council, recognizing the advantage of delegating these responsibilities to members who have expertise in youth issues.

661.340 What are the responsibilities of the youth council?

### ***What is the role and responsibility of the youth council chair?***

Youth council chairs function in a similar capacity as other committee chairs of the local board. The primary role of a chairperson is to ensure that the council fulfills its major responsibilities as outlined in WIA, in addition to any locally defined responsibilities.

Additional information on the role and responsibilities of Local Boards and youth councils is available at:

- The National Association of Workforce Boards: [www.nawb.org/](http://www.nawb.org/)
- The Workforce Excellence Network:  
[www.workforce-excellence.net/content/service\\_training.asp](http://www.workforce-excellence.net/content/service_training.asp)
- USDOL: [www.doleta.gov/youth\\_services/Tech\\_assistance.cfm](http://www.doleta.gov/youth_services/Tech_assistance.cfm) (Youth Council Toolkit, Youth Council Training Modules)

661.345 What are the requirements for the submission of the local workforce investment plan?

### ***What is the history of local WIA planning in Georgia?***

The development of Georgia's workforce development system is an evolutionary process that actually began long before the implementation of WIA in July 2000 with state and local area planning groups. Local workforce areas were required to submit initial service plans in the spring of 2000 in order to receive WIA funds by July 1, 2000. The initial plans focused on, at a minimum, services of the Georgia Departments of Labor, Technical and Adult Education, and Family and Children Services, Rehabilitation Services, older worker services, and others as well as WIA Title I. Local workforce areas were encouraged to use existing economic development and workforce plans, such as those of the Department of Community Affairs' Regional Advisory Councils as a starting point, while continuing to develop local systems.

Local workforce areas were required to submit more comprehensive local plans in the fall of 2000. Then, in the fall of 2001, local workforce areas were provided the opportunity to apply for strategic planning grants. The \$50,000 grants were intended to help local systems more fully engage local stakeholders in identifying emerging trends and issues, developing a vision for the future, evaluating the current environment, and developing comprehensive plans establishing strategic directions for local workforce development systems. An application model was provided, although regions and local areas had great flexibility in developing their strategic plans. All 20-workforce areas took advantage of this opportunity.

In 2003, local areas completed two-year plan updates that included negotiated performance levels for PY 2003 and 2004. These updated plans reflected more extensive discussions of service delivery design and execution.

In 2005, local areas again submitted two-year plan updates. The updates included negotiated performance levels for PY 2005 and 2006, and reflected USDOL's new priorities: service integration, faith-based providers, out-of-school youth, services to businesses, priority of services for veterans, and services to older workers.

In spring of 2007, local areas were again required to submit two-year plan updates. These updates included negotiated performance targets for PY 2007 and 2008, and reflected USDOL/ETA's National Strategic Direction: Workforce Innovation in Regional Economic Development (WIRED) Initiative (coordination of workforce development, economic development, and education resources and initiatives to meet the needs of emerging and existing businesses); focus at the regional economic level; and ETA's New Strategic Vision for the Delivery of Youth Services Under WIA.

## ***H***as Georgia established any publishing requirements for local WIA plans?

The State has not established any additional publishing requirements other than those at Section 661.345, which include the following:

- Making copies available to the public
- Including an opportunity for comment by the board and public
- Providing at least a thirty-day comment period
- Making plan information available to the public on a regular basis through open meetings

Comments that express disagreement with the plan must be included in submittal of the plan to GDOL.

Both local plans and Georgia's state plan are available at [www.dol.state.ga.us](http://www.dol.state.ga.us) (Workforce Professionals/Learn About WIA Services/WIA Plan Information).

661.350      What are the contents of the local workforce investment plan?



## ***Where can our local workforce area get labor market and related information for planning purposes?***

GDOL Workforce Information and Analysis (WI&A) collects, analyzes, and publishes a wide array of information about the state's labor market. This information provides a snapshot of Georgia's economy, job market, businesses, and its workforce. Data on jobs and workers, including labor force, employment and unemployment, industrial growth, occupational trends, and wage rates, are increasingly important to remaining competitive in the global marketplace.

Many resources, available in different configurations (e.g., by state, Metropolitan Statistical Area (MSA), county, region, and/or workforce areas) can be accessed at GDOL's web site: [www.dol.state.ga.us](http://www.dol.state.ga.us) (Labor Market Information), or by contacting the GDOL Career Development Services Division or Workforce Information and Analysis (WI&A).

Additionally, WI&A publishes several resources that are updated periodically, including the following:

- Dimensions- Measuring Georgia's Workforce
- Georgia Workforce Trends in Brief
- Employment & Wages
- Career Planner
- Georgia Area Labor Profiles
- Georgia Wage Survey
- Georgia Labor Force Estimates
- Georgia Nonagricultural Employment
- Unemployment Insurance Initial Claims
- Georgia Area Occupational Wages
- Georgia Jobs: Area Short-term Employment Projections
- Georgia Jobs: Short-term Employment Projections
- Georgia Area Workforce Trends
- Georgia Workforce 2012 – Long-term Employment Trends
- Georgia's Hot Careers
- Licensed and Certified Occupations in Georgia

Data Tools, a customized labor market information tool (CD), is also included with local planning guidance distributed to local workforce areas.

## ***What is Georgia LaborMarket Explorer, and can it be used for local WIA planning purposes?***

Georgia LaborMarket Explorer is a dynamic and interactive information online system that contains a wide range of information about the labor market and economic conditions for Georgia and local areas. Information is customized for individuals, employers, and labor market researchers/workforce professionals.

Available information includes wages by occupation and industry, jobs that are growing or declining, unemployment rates, employers by occupation and industry, and employment trends. Also included are easy to use career exploration tools and occupational profiles, career videos, information on education and training programs, and much more.

Georgia LaborMarket Explorer can be of great value for WIA planning purposes, especially the labor market researchers' track. Visit Georgia LaborMarket Explorer at: <http://explorer.dol.state.ga.us>.

661.355 When must a local plan be modified?

### ***What are Georgia's procedures governing the modification of local plans?***

The Department has empowered local workforce areas to determine when to modify local plans resulting from significant changes in the local workforce system. (A good way to ensure interested parties can access the most current planning information is through posting plans on a local web site.) Local areas are requested to submit significant modifications to GDOL Career Development Services. These would include newly negotiated performance levels, major changes in service strategies, and other major strategic changes. Local areas must have a system for maintaining both significant and minor changes, but submittal of minor modifications to GDOL is not required.

## **SUBPART D - WAIVERS AND WORK-FLEX WAIVERS**

- 661.400 What is the purpose of the General Statutory and Regulatory Waiver Authority provided at section 189(I)(4) of the Workforce Investment Act?
- 661.410 What provisions of WIA and the Wagner-Peyser Act may be waived, and what provisions may not be waived?
- 661.420 Under what conditions may a Governor request, and the Secretary approve, a general waiver of statutory or regulatory requirements under WIA section 189(I)(4)?

### ***Have any waivers been approved for the State of Georgia?***

Yes. Four waivers have been approved for the State of Georgia.

#### Waiver for ITAs for Older Youth

In February 2003, USDOL granted GDOL's waiver request on behalf of all local areas to allow older out-of-school youth access to adult Individual Training Accounts (ITAs) while maintaining their older youth identity for expenditure purposes. Areas interested in using this waiver submitted requested documentation to the State, and outlined their approach in their WIA plans.

#### Hurricane Related Waivers

In February 2006, USDOL granted three waivers requested by GDOL submitted in response to the influx of customers from States impacted by the hurricanes of 2005.

The first waiver allowed for the exclusion of individuals from States impacted by the Hurricanes served under WIA formula funds from WIA performance measures, when they (the participant) was unable to complete planned WIA activities because they returned to their home or moved to a new location prior to program completion. Performance exclusions must be documented and are subject to data validation and/or audit.

The second waiver allowed local areas serving hurricane-impacted youth participants to use WIA youth funds for activities such as after school work experience or tutoring, without meeting other required elements for youth programs. Local areas choosing to implement this waiver were required to:

- Apply the waiver only to hurricane-impacted youth receiving WIA formula-funded services; and
- Develop local policies and procedures regarding waiver implementation, including FEMA eligibility documentation along with local requirements for WIA compliance.

The third waiver removed the follow-up requirement for hurricane-impacted youth participants to receive follow-up services for 12 months after exit. Local areas choosing to implement this waiver were required to:

- Ensure staff maintained contact with hurricane-impacted youth after exit until the youth moved from the workforce area or completed the 12-month follow-up period;
- Make all reasonable efforts to locate youth for the provision of follow-up services, and
- Maintain documentation of the youths' unavailability to receive follow-up services.

661.430

Under what conditions may the Governor submit a Workforce Flexibility Plan?

## ***D***oes Georgia plan to submit a *Workforce Flexibility Plan*?

A workforce flexibility (work-flex) plan allows states to waive certain statutory or regulatory requirements of WIA and the Wagner-Peyser Act, in order to achieve maximum flexibility in the design and implementation of workforce systems.

To date, Georgia has not determined it to be appropriate or feasible to submit a general waiver plan. As Georgia's system continues to evolve, however, it is possible that impediments will be identified that may lead to waiver requests. Please contact GDOL Career Development Services for work-flex waiver consideration.

661.440      What limitations apply to the State's Workforce Flexibility Plan Authority under WIA?